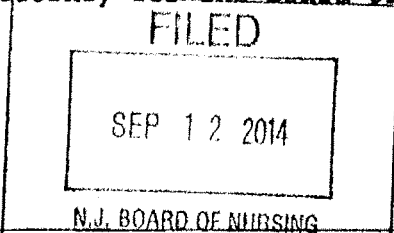
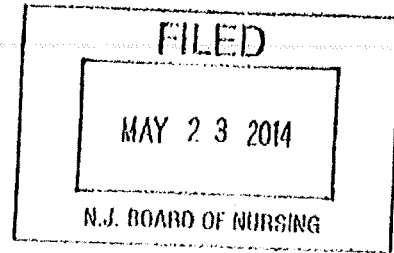


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

~~IN THE MATTER OF THE SUSPENSION OR~~
REVOCATION OF THE CERTIFICATE OF :

ADMINISTRATIVE ACTION

Ashley M. Riggins, C.H.H.A.
Certificate No.: 26NH14476600

PROVISIONAL ORDER OF DISCIPLINE

Finalized by Default on: 09/12/14

TO PRACTICE AS A CERTIFIED
HOMEMAKER-HOME HEALTH AIDE
IN THE STATE OF NEW JERSEY

FINAL

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and on which the following preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Ashley M. Riggins, ("Respondent") is the holder of Homemaker-Health Aid Certificate 26NH14476600 in the State of New Jersey at all times relevant to this action. (See L2k printout, Exhibit A).

2. On November 25, 2013, the Board received a Flagging Notice stating that Respondent had been arrested on November 24,

2013, by the West Windsor Township Police for Shoplifting (N.J.S.A. 2C:20-11B). (See Flagging Notice, *Exhibit B*).

3. Upon receipt of the flagging notice, the Board sent a letter of inquiry via regular and certified mail on December 3, 2013, requesting certain information and submission of documents including a narrative regarding the arrest, to Respondent's address of record in Trenton, New Jersey. The regular mail was returned to the Board as "Attempted Not Know", and the certified mailing was returned as "unclaimed". (See Flagging Letter with envelopes returned to the Board, *Exhibit C*).

4. Additionally, on January 6, 2014, the Board received a Flagging Notice stating that Respondent had been arrested on January 3, 2014, by the Lawrence Township Police Department for Forgery (N.J.S.A. 2C:21-1A(2)) and Theft by Deception (N.J.S.A. 2C:20-4A). According to the police report, Respondent was arrested after she used a counterfeit one-hundred dollar bill (\$100.00) to buy groceries at Acme. (See Flagging Notice and Complaint Inquiry, *Exhibit D*).

5. Upon receipt of the flagging notice, the Board sent a letter of inquiry via regular and certified mail on January 21, 2014, requesting certain information and submission of documents including a narrative regarding the arrest, to Respondent's address of record in Trenton, New Jersey. The regular mail and

the certified mailing were returned to the Board as "Attempted Not Known". (See Flagging Letter with envelopes returned to the Board, *Exhibit E*).

CONCLUSIONS OF LAW

Respondent has failed to respond to the Board's requests for information constituting a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2, and 1.3, in violation of N.J.S.A. 45:1-21(e), subjecting Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Respondent's failure to provide the Board with a valid address constitutes a violation of N.J.A.C. 13:37-5.7.

ACCORDINGLY, IT IS on this 23rd day of May, 2014,

ORDERED that:

1. Ashley Riggins's certification to practice as a homemaker-home health aide is provisionally suspended for failing to respond to the Board's December 3, 2013 and January 21, 2014 flagging letters. Respondent's certification to practice as a homemaker-home health aide is provisionally suspended until Respondent provides all of the information requested in the flagging letters and provides a valid address of record.

2. A civil penalty in the total amount of \$400.00 (\$200.00 per offense) is provisionally imposed upon

Respondent for failing to cooperate with a Board investigation. Penalty should be made via certified check or money order payable to the State of New Jersey, delivered to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey, 07101. Payment shall be made no later than 15 days after notice of the entry of any Final Order is served in this matter, including any Order which is finalized by default. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

3. Respondent shall provisionally refrain from engaging in the practice of homemaker-home health aide and shall not represent herself as a certified homemaker-home health aide until such time as her certification is reinstated. Any practice in this State prior to such reinstatement shall constitute grounds for a charge of unlicensed practice.

4. Respondent may request a modification or dismissal of the above stated Findings of Fact or Conclusions of Law within 30 days of the date this Provisional Order is filed by:

a) Submitting a written request for modification or dismissal to George Hebart, Executive Director, Board of Nursing, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101.

b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.

c) Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefore or offered in mitigation of penalty.

5. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration, a Final Order will be entered.

6. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of

fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such proceeding. Further, in the event a hearing is held and upon review of the record, the Board shall not be limited to the findings, conclusions and sanctions stated herein.

7. In the event that the Board receives no written request for modification or dismissal within 30 days following entry of this Provisional Order, without further Board review, all referenced preliminary Findings of Fact and Conclusions of Law and all provisional sanctions or penalties imposed by this Order shall automatically become the Final Decision and Order of the Board. Thereafter, Respondent's failure to comply with any sanction or penalty imposed by this Order shall be considered a violation of a Board Order in contravention of N.J.S.A. 45:1-21 (e) and (h) and N.J.A.C. 13:45C-1.4 and may subject Respondent to additional sanctions and/or penalties.

NEW JERSEY STATE BOARD OF NURSING

By:



Patricia Murphy, PhD, APN
President